IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6834 OF 2005

Shri Shravan Vithal Salve ..Petitioner.
Versus
Shri Babulal Vithal Salve & Ors. ..Respondents.

Mr. R.D. Motkari for the Petitioner.

CORAM : S. A. BOBDE, J.
DATED : 13TH OCTOBER, 2005.

P.C.:

1. In view of the admitted facts that two civil suits bearing RCS No.08/2000 filed by the petitioner and RCS No.180/1995 filed by the respondent No.1, are pending, I see no reason to interfere with the order of cancellation of the mutation entry in petitioner's favour. It is settled law that mutation entries do not confer or divest title of any party but only raise a presumption regarding possession, which is rebuttable under section 35 of the Evidence Act.

2. In this view of the matter and having regard to the pendency of the two civil suits, the learned counsel for the petitioner seeks permission to withdraw the petition. Allowed to withdraw.

DT. 13.10.05 (S.A.BOBDE,J)

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